

## REMARKS

The Office Action of July 29, 2004 has been carefully considered. Reconsideration of this application, as amended, is respectfully requested. Claims 1-14 and 18-22 are pending in this application. Of these, claims 1, 8, and 20 are independent claims.

A Preliminary Amendment and Request For Approval of Drawing Changes Under 37 CFR 1.121(d) were mailed November 1, 2001 requesting entry of corrections to Figures 2 and 6 (resubmitted herewith as new rules now apply for amendments to drawings).

In the drawings, this Amendment submits replacement sheets of formal drawings depicting Figures 1-7.

In the specification, this Amendment adds a patent number that was not known at the time of filing.

In claims, this Amendment amends claims 1-14, cancels claims 15-17, and adds claims 19-22. Support for these amendments is found in the Applicant's specification at page 4, line 28 through page 5, line 21.

Applicant believes none of these Amendments to the drawings, specification, or claims introduces any new matter.

### 1. PTO 1449 Attachment Not Received For Supplemental IDS

The Office Action did not include a copy of the PTO-1449 submitted with the Supplemental Information Disclosure Statements faxed June 1, 2004 (with one additional cited reference). Applicant respectfully requests receiving in a future correspondence a copy of the PTO-1449 for this supplemental information disclosure statements that include notations indicating that the Examiner has reviewed the cited reference. Copies of the supplemental information disclosure statement (together with their confirmation of receipt from the PTO) is attached in Appendix B of this Amendment.

## 2. Response to Rejection Under 35 USC 102

The Office Action in section 4 (starting on page 2) rejects claims 1-17 under 35 USC 102(e) as being anticipated by Patent No. US 6,282,314 B1 to Sugiura et al. (hereinafter referred to as Sugiura). In rejecting Applicant's invention set forth in claims 1-17, the Office Action makes reference to sections in columns 2, 3, 4, and 6 and Figure 2 of Sugiura.

Additionally, the Office Action in section 6 (starting on page 3) rejects claims 1-17 under 35 USC 102(b) as being anticipated by U.S. Patent 5,570,432 to Kojima (hereinafter referred to as Kojima). In rejecting Applicant's invention set forth in claims 1-17, the Office Action makes reference to sections in columns 4, 6, 8, and 9 and Figures 3 and 20, and the abstract of Kojima.

The Office Action does not combine Sugiura and Kojima but instead rejects claims 1-17 individually in turn (i.e., once under Sugiura and once under Kojima). Applicant addresses each rejection therefore independent below, and in response thereto, Applicant Amends independent claims 1 and 8 to more clearly set forth what is believed to be Applicant's invention in view of Sugiura and Kojima.

Applicant's invention concerns an apparatus and method for processing a captured image. The apparatus includes a plurality of user-selection tools for selecting a region of the image to be processed, and a plurality of user-copying tools for copying the selected region. The appropriate selection of a user-selection tool and a user-copy tool for a captured image frame are controlled automatically by a global operating mode. In addition, the global operating mode can be used to specify the display mode for a captured image frame. Using modes relieves the user from having to specify a display mode, a user-selection tool, and a user-copying tool every time an operation is performed. (See Applicant's abstract of the invention.)

As will become apparent, neither Sugiura nor Kojima does concern an apparatus and method for display of color, black-and-white, or text images, and selection and copying of objects therein in a manner consistent with a user specified global control. Advantageously, using a user specified global control, the displayed image is well correlated with the information that is selected and copied. (See Applicant's summary of the invention.)

More specifically, Sugiura discloses a method for converting multivalue image

data into hierarchically structured data (see Sugiura Abstract). That is, "a character portion is recognized from the input image by an OCR technique and is coded, the position information and schematic contents of a photograph portion, a table portion, and the like are recognized, and this information is used for retrieval" (see Sugiura Col. 2, lines 63-67).

In contrast, Kojima discloses a method for outputting characters, graphics and halftone images with high quality using low-capacity image memory (see Kojima Abstract). Details of one method are described in column 4, lines 14-48, where a selector is used to select pictoral data, graphics data, and character data, where the pictoral data is processed using a halftone processor and graphics and character data are processed using a bitmap processor.

Thus, Sugiura and Kojima fail to disclose as claimed by Applicant in independent claims 1, 8, and 20, receiving user input specifying a mode control selected from a plurality of global mode settings, where the mode control is used for a captured image to automatically select one of a plurality of user-selection tools (e.g., rectangular or word-to-word selection) and a plurality of user-copy tools (e.g., copy as image or text).

Accordingly, Applicant respectfully submits that independent claims 1, 8, and 20 as amended are patentably distinguishable over Sugiura or Kojima. Insofar as claims 2-7, and 9-16, 18-19, and 21-22 are concerned, these claims depend from one of now presumably allowable independent claims 1, 8, or 20 and are also believed to be in allowable condition.

### 3. Fee Authorization And Extension Of Time

No additional fee is believed to be required for this amendment or response, however, the undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

4. Conclusion

In view of the foregoing remarks, reconsideration of this application and allowance thereof are earnestly solicited. In the event the Examiner considers a personal contact advantageous to the disposition of this case, the Examiner is hereby requested to call Attorney for Applicant(s), Thomas Zell.

Respectfully submitted,

  
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